

07/31/01
J1031 U.S. PTO

Please type a plus sign (+) inside this box 

PTO/SB/05 (03-01)
Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **96700/680**

First Inventor **David Alland, et al.**

Title **THE *iniB*, *iniA* AND *iniC* GENES OF
MYCOBACTERIA AND METHODS OF USE**

Express Mail Label No. **EL613248336US**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **33**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **10**]
5. Oath or Declaration [Total Pages **1**]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☐ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: **09/177,349**

Prior application information

Examiner **Rodney P. Swartz, Ph.D**

Group Art Unit. **1645**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.


19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name	Elie H. Gendloff, Ph.D., Esq.				
Address	AMSTER, ROTHSTEIN & EBENSTEIN				
	90 Park Avenue				
City	New York	State	New York	Zip Code	10016
Country	USA	Telephone	212-697-5995	Fax	(212) 286-0854

Name (Print/Type)	Elie H. Gendloff	Registration No. (Attorney/Agent)	44,704
Signature		Date	July 31, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231

8-1-01
A
J1036 U.S. PTO
09/918951
07/31/01

AMSTER, ROTHSTEIN & EBENSTEIN

MORTON AMSTER
DANIEL S. EBENSTEIN
PHILIP H. GOTTFRIED
MICHAEL J. BERGER
NEIL M. ZIPKIN
ANTHONY F. LO CICERO
KENNETH P. GEORGE
ABRAHAM KASDAN, PH.D.
IRA E. SILFIN
CHESTER ROTHSTEIN
CRAIG J. ARNOLD

JESSE ROTHSTEIN (RETIRED)

SENIOR COUNSEL

CHARLES R. MACEDO
MARK J. ROSENBERG
KENNETH M. BERNSTEIN

ATTORNEYS AT LAW

PATENTS • TRADEMARKS • COPYRIGHTS

90 PARK AVENUE
NEW YORK, NEW YORK 10016

TELEPHONE: (212) 697-5995
FACSIMILE: (212) 286-0854

NEAL L. ROSENBERG
DENISE A. LINDENAUER
NANCY M. DODDERIDGE
PATRICK BOLAND*
TREBOR LLOYD
JOSEPH M. CASINO
JOHN S. ECONOMOU
MICHAEL V. SOLOMITA
HOLLY PEKOWSKY
MICHAEL P. KENNEY
MARION P. METELSKI*
MONIQUE L. RIBANDO

SCOTT McCLAVE
LISA MELANSON
MAX VERN
DANA R. METES
KARL J. KOLBINGER
BRIAN A. COMACK
RICHARD S. MANDARO
RENÉE TIRADO
NATALIE BOGDANOS
MARC J. JASON
ELIE H. GENDLOFF, PH.D.*

*NOT ADMITTED IN NEW YORK

July 31, 2001

via Express Mail

Assistant Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: New U.S. Application (Small Entity), a Continuation under 37 CFR 1.53(b)(1) of Serial No. 09/177,349 Filed on October 23, 1998, now U.S. Pat. No. 6,268,201 Issued on July 31, 2001
Title: THE iniB, iniA AND iniC GENES OF MYCOBACTERIA AND METHODS OF USE
Inventors: David Alland, Barry R. Bloom and William R. Jacobs, Jr.
Our File: 96700/680

Sir:

Enclosed please find a new Patent Application, claiming small entity status, which is a Continuation under 37 CFR 1.53(b)(1) of parent application, Serial No. 09/177,349 filed on October 23, 1998, now U.S. Patent 6,268,201 issued on July 31, 2001 in the names of David Alland, Barry R. Bloom and William R. Jacobs, Jr., entitled THE iniB, iniA AND GENES OF MYCOBACTERIA AND METHODS OF USE, comprising the following:

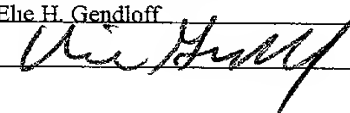
1. a Utility Patent Application Transmittal form (1 page);
2. a Preliminary Amendment (2 pages);

"Express Mail" mailing label No. EL613248336US

Date of Deposit: July 31, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Name: Elie H. Gendloff

Signature: 

July 31, 2001


3. a Specification (27 pages), Claims (5 pages) and an Abstract (1 page);
4. drawings (Figures 1-7; 10 sheets)
5. a Declaration and Power of Attorney (1 page, copy from prior application); and
6. a Return receipt postcard.

Please acknowledge receipt of the enclosed documents by stamping the enclosed postcard and returning same.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN
Attorneys for Applicants
90 Park Avenue
New York, New York 10016
(212) 697-5995

Dated: New York, New York
July 31, 2001

By: 
Elie H. Gendloff
Registration No. 44,704

EHG/lm
Enclosures